

#413  
3/26/02

**PATENTS**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Applicant(s):** Tracy A. Willson, et al.

**Examiner:** Unassigned

**Serial No:** Unassigned

**Art Unit:** Unassigned

**Filed:** Herewith

**Docket:** 11373Z



**For:** A NOVEL HAEMOPOIETIN RECEPTOR **Date:** November 7, 2001  
AND GENETIC SEQUENCES ENCODING  
SAME

Assistant Commissioner for Patents  
United States Patent and Trademark Office  
Washington, D.C. 20231

**INFORMATION DISCLOSURE STATEMENT**

Sir:

In accordance with 37 C.F.R. §§1.97 and 1.98, it is requested that the following disclosures, which are also listed on the attached Form PTO-1449, be made of record in the above-identified case.

1. D. Caput et al. (1996) "Cloning and Characterization of a Specific Interleukin (IL)-13 Binding Protein Structurally Related to the IL-5 Receptor  $\alpha$  Chain" *Journal of Biological Chemistry* 271 (28): 16921-16926.

---

**CERTIFICATE OF MAILING BY "EXPRESS MAIL"**

**"Express Mail" mailing label number:** EL913702280US

**Date of Deposit:** November 7, 2001

I hereby certify that this New Patent Application and Fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, DC 20231.

**Dated:** November 7, 2001

Peter I. Bernstein

2. Hilton, et al. (January 1996) "Cloning and Characterization of a Binding Subunit of the Interleukin 13 Receptor that is also a Component of the Interleukin 4 Receptor", Proc. Natl. Acad. Sci. USA **93**:497-501.
3. Matthews, et al. (January 1, 1995) "Function of the Interleukin-2 (IL-2) Receptor  $\gamma$ -Chain in Biologic Responses, of X-Linked Severe Combined Immunodeficient B Cells to IL-2, IL-4, IL-13 and IL-15", Blood **85**(1):38-42.
4. Miloux, et al. (1997) "Cloning of the Human IL-13R $\alpha$ 1 Chain and Reconstitution with the IL-4R $\alpha$  of a Functional IL-4/IL-13 Receptor Complex", FEBS Letters **401**:163-166.
5. N.A. Nicola (1994) *Guidebook to Cytokines and Their Receptors* Oxford University Press: New York, New York.
6. N. Vita et al. (1995) "Characterization and Comparison of the Interleukin 13 Receptor With the Interleukin 4 Receptor on Several Cell Types" *The Journal of Biological Chemistry* **270** (8): 3512-3517.
7. N. Harada et al. (1990) "Expression Cloning of a cDNA Encoding the Murine Interleukin 4 Receptor Based on Ligand Binding" *Proc. Natl. Acad. Sci. USA* **87**: 857-861.
8. Obiri, et al. (April 14, 1995) "Receptor for Interleukin 18: Interaction with Interleukin 4 by a Mechanism that does not Involve the Common  $\gamma$  Chain Shared by Receptors for Interleukins 2, 4, 7, 9 and 15", The Journal of Biological Chemistry **270**(16):8797-8804.
9. Obiri, et al. "The IL-13 Receptor Structure Differs on Various Cell Types and may Share More than One Component with IL-4 Receptor", The Journal of Immunology:756-764.
10. Smerz-Bertling, et al. (January 13, 1995) "Both Interleukin 4 and Interleukin 13 Induce Tyrosine Phosphorylation of the 140-kDa Subunit of the Interleukin 4 Receptor", The Journal of Biological Chemistry **270**(2):966-970.
11. Vita, et al. (February 24, 1995) "Characterization and Comparison of the Interleukin 13 Receptor with the Interleukin 4 Receptor on Several Cell Types", The Journal of Biological Chemistry **270**(8):3512-3517.
12. Zhang, et al. (April 4, 1997) "Identification, Purification and Characterization of a Soluble Interleukin (IL)-13-Binding Protein", The Journal of Biological Chemistry **272**(14):9474-9480.

13. Zurawski, et al. (1993) "Receptors for Interleukin-13 and Interleukin-4 are Complex and Share a Novel Component that Functions in Signal Transduction", The EMBO Journal 12(7):2663-2670.

14. Zurawski, et al. (June 9, 1995) "The Primary Binding Subunit of the Human Interleukin-4 Receptor is also a Component of the Interleukin-13 Receptor", The Journal of Biological Chemistry 270(23):13869-13878.

15. PCT Publication No. WO 97/20926 published June 12, 1997.

16. International Publication No. WO 96/11213, dated April 18, 1996, to Amgen Boulder, Inc.

The following references were previously submitted by the Examiner in the parent application, U.S. Serial No. 09/051,843, filed October 23, 1996:

17. U.S. Patent No. 5,508,164 to Kausch, et al.

18. U.S. Patent No. 5,574,136 to Nagata, et al.

19. Lin, C.C., et al., "Differential Fluorescent Staining of Human Chromosomes with Daunomycin and Adriamycin-The D Bands," Science, Vol. 190, p. 61-63.

Applicants respectfully request that all the references listed on Form PTO-1449 be made of record in the above-identified application.

Pursuant to 37 C.F.R. §1.98(d), copies of the above listed publications are not provided, as the references were previously submitted to the Examiner in connection with parent case, U.S. Serial Number: 09/051,843 filed on October 23, 1996.

Inasmuch as this Information Disclosure Statement is being submitted in accordance with the schedule set out in 37 C.F.R. §1.97(b), no petition, certification or fee is required.

Respectfully submitted,



Frank S. DiGiglio  
Registration No. 31,346

SCULLY, SCOTT, MURPHY & PRESSER  
400 Garden City Plaza  
Garden City, New York 11530  
(516) 742-4343  
PIB:bg

Form PTO-1449  
(REV. 7-80)U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE**LIST OF PRIOR ART  
CITED BY APPLICANT**

(Use several sheets if necessary)

Atty. Docket No.

11373.Z

Serial No.

Unassigned

Applicant

Tracy Willson, et al.

Filing Date

Herewith

Group

JC997 U.S. PTO  
10/036568**U.S. PATENT DOCUMENTS**

EXAMINER INITIAL*		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE (if appropriate)
	AA	5,508,164	4/16/99	Kausch, et al.			
	AB	5,574,136	12/11/00	Nagata, et al.			
	AC						
	AD						
	AE						
	AF						

**FOREIGN PATENT DOCUMENTS**

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
	AG	WO97/20926	06/12/97	PCT				
	AH	WO96/11213	4/18/96	PCT				

**OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)**

AI	Hilton, et al. (January 1996) "Cloning and Characterization of a Binding Subunit of the Interleukin 13 Receptor that is also a Component of the Interleukin 4 Receptor", <u>Proc. Natl. Acad. Sci. USA</u> 93:497-501.
AJ	Lin, C.C., et al. "Differential Fluorescent Staining of Human Chromosomes with Daunomycin and Adriamycin-The D Bands," <u>Science</u> , Vol. 190, p.61-63.
AK	Matthews, et al. (January 1, 1995) "Function of the Interleukin-2 (IL-2) Receptor γ-Chain in Biologic Responses, of X-Linked Severe Combined Immunodeficient B Cells to IL-2, IL-4, IL-13 and IL-15", <u>Blood</u> 85(1):38-42.
AL	Miloux, et al. (1997) "Cloning of the Human IL-13Rα1 Chain and Reconstitution with the IL-4Rα of a Functional IL-4/IL-13 Receptor Complex", <u>FEBS Letters</u> 401:163-166.
AM	Obiri, et al. (April 14, 1995) "Receptor for Interleukin 18: Interaction with Interleukin 4 by a Mechanism that does not Involve the Common γ Chain Shared by Receptors for Interleukins 2, 4, 7, 9 and 15", <u>The Journal of Biological Chemistry</u> 270(16):8797-8804.

EXAMINER

DATE CONSIDERED

\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Form PTO-1449  
(REV. 7-80)U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

Atty. Docket No.

Serial No.

**LIST OF PRIOR ART  
CITED BY APPLICANT**

(Use several sheets if necessary)

11373 Z

Unassigned

Applicant

Tracy Willson, et al.

Filing Date

Herewith

Group

**U.S. PATENT DOCUMENTS**

EXAMINER INITIAL*		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE (if appropriate)
	AA						
	AB						
	AC						
	AD						
	AE						
	AF						

**FOREIGN PATENT DOCUMENTS**

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
	AG							
	AH							
	AI							

**OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)**

	AJ	Obiri, et al. "The IL-13 Receptor Structure Differs on Various Cell Types and may Share More than One Component with IL-4 Receptor", <u>The Journal of Immunology</u> :756-764.
	AK	Smerz-Bertling, et al. (January 13, 1995) "Both Interleukin 4 and Interleukin 13 Induce Tyrosine Phosphorylation of the 140-kDa Subunit of the Interleukin 4 Receptor", <u>The Journal of Biological Chemistry</u> 270(2):966-970.
	AL	Vita, et al. (February 24, 1995) "Characterization and Comparison of the Interleukin 13 Receptor with the Interleukin 4 Receptor on Several Cell Types", <u>The Journal of Biological Chemistry</u> 270(8):3512-3517.
	AM	Zhang, et al. (April 4, 1997) "Identification, Purification and Characterization of a Soluble Interleukin (IL)-13-Binding Protein", <u>The Journal of Biological Chemistry</u> 272(14):9474-9480.

EXAMINER

DATE CONSIDERED

\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Form PTO-1449  
(REV. 7-80)U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

Atty. Docket No.

Serial No.

**LIST OF PRIOR ART  
CITED BY APPLICANT**

11373 Z

Unassigned

(Use several sheets if necessary)

Applicant

Tracy Willson, et al.

Filing Date  
Herewith

Group

**U.S. PATENT DOCUMENTS**

EXAMINER INITIAL*		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE (if appropriate)
	AA						
	AB						
	AC						
	AD						
	AE						
	AF						

**FOREIGN PATENT DOCUMENTS**

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
	AG							
	AH							

**OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)**

AI	Zurawski, et al. (1993) "Receptors for Interleukin-13 and Interleukin-4 are Complex and Share a Novel Component that Functions in Signal Transduction", <u>The EMBO Journal</u> 12(7):2663-2670.
AJ	Zurawski, et al. (June 9, 1995) "The Primary Binding Subunit of the Human Interleukin-4 Receptor is also a Component of the Interleukin-13 Receptor", <u>The Journal of Biological Chemistry</u> 270(23):13869-13878.
AK	D. Caput, et al. (1996) "Cloning and Characterization of a Specific Interleukin (IL)-13 Binding Protein Structurally Related to the IL-5 Receptor $\alpha$ Chain" <u>Journal of Biological Chemistry</u> , 271(28):16921-16926.
AL	N.A. Nicola (1994) Guidebook to Cytokines and Their Receptors, Oxford University Press: New York, New York.
AM	N. Vita, et al. (1995) "Characterization and Comparison of the Interleukin 13 Receptor with the Interleukin 4 Receptor on Several Cell Types" <u>The Journal of Biological Chemistry</u> 270(8):3512-3517.
AN	N. Harada, et al. (1990) "Expression Cloning of a cDNA Encoding the Murine Interleukin 4 Receptor Based on Ligand Binding" <u>Proc. Nat'. Acad. Sci., USA</u> 87:857-861.

EXAMINER

DATE CONSIDERED

\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.